

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance and was otherwise unfit for food by reason of contamination with filth derived from slop water; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 9, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered disposed of as animal feed.

11159. Misbranding of potato pancake mix. U. S. v. 51 Cases * * *. (F. D. C. No. 20072. Sample No. 58687-H.)

LABEL FILED: June 12, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: On or about May 14, 1946, by the Vanderwall Dried Foods Co., from Alhambra, Calif.

PRODUCT: 51 cases, each containing 48 4-ounce cartons, of potato pancake mix at Yakima, Wash.

LABEL, IN PART: "Idaho Joe's Quick Potato Pancake Mix * * * containing dried potatoes * * * wheat flour, corn meal."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement "Potato Pancake Mix" and the vignette of whole potatoes which appeared on the carton were misleading as applied to a product containing wheat flour and corn meal in addition to potatoes; and, Section 403 (d), the container of the article was so filled as to be misleading since the product occupied only about 65 percent of the volume of the carton.

DISPOSITION: October 8, 1946. No claimant having appeared, judgment of condemnation was entered and the marshal was ordered to deliver the product to whatever individual or institution the court might direct.

CHOCOLATE, SUGAR, AND RELATED PRODUCTS

CANDY

11160. Adulteration of candy. U. S. v. Deran Confectionery Co., Inc., and William S. Cox and Ralph Rizzo. Pleas of guilty. Fines, \$300 against corporate defendant and \$100 against each individual defendant. (F. D. C. No. 17866. Sample Nos. 11480-H to 11484-H, incl.)

INFORMATION FILED: July 18, 1946, District of Massachusetts, against the Deran Confectionery Co., Inc., Cambridge, Mass., and William S. Cox, vice president and general manager, and Ralph Rizzo, plant foreman.

ALLEGED SHIPMENT: On or about April 20 and 23, 1945, from the State of Massachusetts into the State of Rhode Island.

LABEL, IN PART: "Deran's Chocolates The Gold Package," or "Glen Valley Chocolates Caramel [or "Nut Nugat"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent hair fragments, whole insects, insect fragments, and cast skins; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: April 1, 1947. Pleas of guilty having been entered, the court imposed fines of \$300 against the corporate defendant and \$100 against each individual defendant.

11161. Adulteration of candy. U. S. v. Holshouser Candy Co., Claude A. Holshouser, and Sylvester A. Welch. Pleas of nolo contendere. Fine, \$500. (F. D. C. No. 20156. Sample Nos. 236-H to 238-H, incl., 249-H, 270-H, 273-H to 275-H, incl., 1002-H.)

INFORMATION FILED: July 22, 1946, Western District of North Carolina, against the Holshouser Candy Co., a partnership, Charlotte, N. C., and Claude A. Holshouser, a partner, and Sylvester A. Welch, plant manager.

ALLEGED SHIPMENT: Between approximate dates of April 3 and June 13, 1945, from the State of North Carolina into the States of Georgia, South Carolina, Pennsylvania, and Ohio.

LABEL, IN PART: "Holshouser's Pineapple [or "Koko-Nut," or "Strawberry"] Candy Bar," or "Holshouser's Peanut Bar Net Weight 1 1/4 Ozs."